

1 ROBERT L. MITCHELL (Cal. Bar No.161354)
2 MitchellR@sec.gov
3 KAREN KREUZKAMP (Cal. Bar No. 246151)
4 KreuzkampK@sec.gov
5 Attorneys for Plaintiff
6 SECURITIES AND EXCHANGE COMMISSION
7 44 Montgomery Street, Suite 2800
8 San Francisco, California 94104
9 Telephone: (415) 705-2500
10 Facsimile: (415) 705-2501
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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 SECURITIES AND EXCHANGE COMMISSION,
15 Plaintiff,
16 v.
17 JAMES MICHAEL MURRAY,
18 Defendant,
19 and
20 EVENT TRADING GP, LLC,
21 Relief Defendant.
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Case No. CV-12-1288-EMC

**STIPULATION TO RESCHEDULE CASE
MANAGEMENT CONFERENCE**

WHEREAS, plaintiff Securities and Exchange Commission (“the Commission”) filed its civil complaint against defendant James Michael Murray on March 15, 2012, its first amended complaint on June 14, 2012, and a supplemental first amended complaint on January 9, 2013;

WHEREAS, the Government filed a criminal complaint against Mr. Murray on February 16, 2012, *United States v. James Murray*, Case No. 3:12-cr-00278-EMC (N.D. Cal.), an indictment on April 19, 2012, a superseding indictment on June 14, 2012, and a second superseding indictment on September 17, 2013, which include wire fraud charges based on the same conduct alleged in the Commission’s complaint (the “criminal action”);

WHEREAS, the civil action and the criminal action were subsequently related (Dkt. No. 22);

WHEREAS, the Court previously granted Mr. Murray’s motion to stay the proceedings, including the time to answer and discovery in this action because of the pending criminal action against him (Dkt. 38);

WHEREAS, the criminal action against Mr. Murray is ongoing, with a status/trial set hearing on February 5, 2014 (Case No. 3:12-cr-00278, Dkt. No. 151);

WHEREAS, the parties in the instant case are scheduled to have a case management conference with the Court on January 9, 2014 (Dkt. No. 59);

WHEREAS, in light of the Court’s stay order and the fact that the criminal action against Mr. Murray is still ongoing, the parties have suspended the instant litigation and therefore have no report to make to the Court;

WHEREAS, the parties have met and conferred and expect to resume the Commission’s civil action once final judgment is entered in the criminal action;

THEREFORE, the parties stipulate and agree, and ask the Court to adopt as its Order, that:

1. Proceedings in the instant action remain stayed until final judgment is entered in the criminal action;

2. The stay of proceedings shall relieve defendant of his obligation to answer or otherwise respond to the supplemental first amended complaint as long as the stay is in effect;

3. Discovery shall be stayed during the pendency of the stay of proceedings with the exception that any party may serve subpoenas for documents upon third parties, provided that the Commission shall not disclose any such discovery to the United States Attorney's Office prosecuting the criminal action absent further order by this Court;

4. Upon expiration of the stay, defendant shall answer or otherwise respond to the supplemental first amended complaint within thirty (30) days; and

5. Upon expiration of the stay, the parties shall file a joint case management statement, including a proposed plan for a discovery schedule, within thirty (30) days.

DATED: January 2, 2014

Presented by,

/s/ Robert L. Mitchell
Robert L. Mitchell

Attorney for Plaintiff
SECURITIES & EXCHANGE
COMMISSION
44 Montgomery Street, Suite 2800
San Francisco, CA 94104
(415) 705-2500

/s/ James Murray
James Murray
Defendant
c/o GeoCare
111 Taylor Street
San Francisco, CA 94102

* * *

PURSUANT TO STIPULATION, IT IS SO ORDERED. The CMC is reset for 7/31/14 at 9:00 a.m. A joint CMC Statement shall be filed by 7/24/14.

Dated this 6th day of Jan 2014. be filed by 7/24/14.

